

REMARKS

Claims 1-14 are pending in the application upon entry of the amendments and new claims. Claim 1-6 have been amended to better describe certain aspects of the invention. Claims 7-14 have been added to further describe certain aspects of the invention. Favorable reconsideration in light of the amendments, new claims, and the remarks which follow is respectfully requested.

I. Drawings

Applicants are required to furnish a drawing. It is submitted that a drawing is not necessary for the understanding of the claimed invention. The claimed pellicle can employ any known pellicle except that when the pellicle is irradiated with ArF laser light to an amount of 100 J/cm², substantially no foreign matter is generated on the pellicle film and/or photo-mask. The claimed pellicle can be made by subjecting it to a volatile organic compound removal treatment (See page 5, line 25-page 6, line 13 of the specification). One skilled in the art can readily understand the claimed pellicle and the volatile organic compound removal treatment based on the disclosure of page 5, line 25 to page 9, line 27 of the specification without any drawing.

II. Rejection of Claims 1-6 Under 35 U.S.C. §112

Claims 1-6 have been rejected under 35 U.S.C. §112, second paragraph, as being incomplete for omitting essential elements or steps. Claims 1-6 have been amended to cure the omission. Accordingly, withdrawal of the rejection is respectfully requested.

III. Rejection of Claims 1-6 Under 35 U.S.C. §103(a)

Claims 1-6 have been rejected under 35 U.S.C. §103(a) over Shiokawa (JP 2001-147518) in view of Zhang (US 2004/0137339) and Kundu (US Patent 4,931,404). Shiokawa relates to a pellicle. Zhang relates to a photo-mask assembly. Kundu relates to a method and device for ketone measurement.

To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. In order to establish a *prima facie* case of obviousness, the cited art document or documents when combined must teach or suggest all claim features. See MPEP §706.02(j).

Problems of foreign matters of pellicles occur more significantly as an exposure wavelength is shorter. The claimed pellicle generates substantially no foreign matter on a pellicle film and/or photo-mask when the pellicle is irradiated with ArF laser light (248 nm wavelength). To this end, claim 1 recites *a pellicle generates a volatile organic compound of 0.5 ppm or less in total with respect to the weight of the pellicle under a specific detection condition and when the pellicle is irradiated with ArF laser light to an amount of 100 J/cm², substantially no foreign matter is generated on the pellicle film and/or the photo-mask.* Claims 2-6 recite similar features. The cited art documents fail to teach or suggest such features.

Shiokawa relates to a pellicle that generates no foreign matter on a photo-mask by limiting an amount of a phenol derivative. The phenol derivative is added to organic materials of the pellicle as an antioxidant (paragraph [0006] of Shiokawa). However, Shiokawa only teaches a pellicle that is used with a **longer wavelength** such as i-line (365 nm wavelength) (paragraph [0004] of Shiokawa). Shiokawa teaches reducing only the phenol derivative (*i.e.*, antioxidant) to prevent depositing foreign matters on a photo-mask. This is because Shiokawa's teaching is based on the assumption that the pellicle is used with the longer wavelength.

Moreover, Shiokawa is silent as to whether the pellicle generates foreign matter upon irradiation of laser light having a shorter wavelength than i-line. It is well established principle that inherency must be a necessary result and not merely a possible result. *Ex parte Levy*, 17 USPQ2d 1461, 1464 (Bd. Pat. App. & Inter. 1990) and MPEP §2112 IV. The fact that a characteristic may be present in a cited art document is not sufficient to establish inherency of that result or characteristic. *In re Rijckaert*, 9 F.3d 1531, 1534, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993). Shiokawa does not inherently teach a pellicle that generates no foreign matter when the pellicle is irradiated with shorter wavelength light.

While the Examiner asserts that Zhang teaches a molecular sieve and that

Kundu teaches 2,6-diphenyl-p-phenylene oxide as an adsorbent, Zhang and Kundu fail to make up for the aforementioned deficiencies of Shiokawa. Consequently, the proposed combination of Shiokawa, Zhang, and Kundu fails to teach or suggest all the features of the claimed invention. Accordingly, withdrawal of the rejection is respectfully requested.

VIII. Conclusion

The present application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,
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